

REMARKS

Claims 1, 3-12, 14 and 15 are pending in this application. Claim 2 is cancelled by this response and claim 13 was previously cancelled. Claims 1, 14 and 15 are amended by this response. The features added to claims 1 and 14 are found in original claim 2. Claim 1 was further amended to indicate the method of processing is by a processing circuit. Support for the processing circuit is found throughout the specification and specifically on Page 8, line 9 and in figure 3 (Ref no. 6). Therefore, it is respectfully submitted that no new matter is added by these amendments. Claim 15 has been amended for purposes of clarity to remove a typographical error and correct the dependence of claim 15 to be dependent only on claim 14.

Applicant wishes to thank Examiner Do for the courtesy extended in the telephonic interview on Friday, November 5, 2010, with Mr. Jack Schwartz, an attorney assisting the undersigned. During this interview, all claim amendments made by this Response were discussed. The Examiner indicated the amendment to claim 15 overcomes the rejection under 35 USC 112, second paragraph. The Examiner further indicated that the amendment to claim 1 to indicate the method of processing is by a processing circuit overcomes the rejection under 35 USC 101. Regarding the rejection of claims 1 and 14 under 35 USC 102(e), the Examiner indicated that the addition of the features of claim 2 to both claims 1 and 14 would overcome the current rejection but that a further search must be performed to determine if the claims are in condition for allowance. The Examiner also stated that the amendments to the claims do not raise any new issues and, if the claims are amended as discussed, he would withdraw the current action and issue either a new Office Action if a new reference is found during the further search or a Notice of Allowance if no new prior art is uncovered.

Rejection of Claim 15 under 35 U.S.C. 112, second paragraph

Claim 15 is rejected under 35 USC 112, second paragraph as being indefinite. Claim 15 has been amended for purposes of clarity to delete any reference to claim 8 and be only dependent on claim 14. In view of the amendments to claim 15, it is respectfully submitted that this rejection is overcome and should be withdrawn.

Rejection of Claim 1-12 under 35 U.S.C. 101

Claims 1-12 are rejected as not falling into one of the four statutory categories of invention. Claim 1 has been amended to recite a “Method of processing, by a processing circuit, a source image”. In view of this amendment, claim 1 is now tied to a particular apparatus and therefore is now a statutory “process”. Support for the processing circuit is found throughout the specification and specifically on Page 8, line 9 and in figure 3 (Ref no. 6). No new matter is added by this amendment. In view of the amendment to claim 1, it is respectfully submitted that this rejection is overcome and should be withdrawn.

Rejection of Claim 1 and 14 under 35 U.S.C. 102(e)

Claims 1 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Sharma et al. (US Patent No. 7,215,792) (hereinafter “Sharma”).

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP §2131, citing Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).]

The present claimed arrangement in Claim 1 provides a method of processing, by a processing unit, a source image. At least two successive processed images are generated. A color of at least one pixel in each processed image is modified, such that

the color of the pixel in each processed image is offset about the color of the corresponding pixel in the source image. The luminance of the pixel in each processed image is equal to the luminance of the pixel in the source image.

Claim 1 has been amended to overcome the rejection under 35 USC 101 and further to include the features of claim 2. Claim 1 has been amended to tie the method of the present arrangement to a processing unit and thus overcome the rejection under 35 USC 101. Claim 2 has only been rejected under 35 USC 101 in view of its dependence on claim 1. No prior art rejections of claim 2 have been made in this Office Action. Thus, as claim 1 has been amended to be tied to a processing circuit and thus is now within the statutory categories of invention, the rejection of claim 2 under 35 USC 101 is also overcome and claim 2 is also now allowable. As the features of now allowable claim 2 have been added to claim 1, claim 1 is likewise allowable.

Additionally, for the reasons presented below, Sharma fails to teach or suggest each feature of the present claimed arrangement.

Sharma describes a method and apparatus for spectrally-encoding plural input images, for providing the spectrally-encoded plural input images in a composite image and for recovering at least one of the encoded input images from a rendered composite image such that a recovered input image is made distinguishable (abstract).

Each input image (71, 72, Fig. 4), which is represented by at least one image array, is presented to a spectral multiplexer 30, which encodes a data representation of a composite of at least a first and second input images, so as to provide a composite image 32 on a spectrally multiplexed image plane ((§180), Fig. 3 and 4). The composite image 32 is an array of values representing (encoding) an image formed as a composite of plural overlaid (or combined) colorant images planes (§69). The luminance of the pixel of the composite image is then not equal to the luminance of an input image because the composite image is formed from at least two input images. Thus, Sharma neither teaches nor suggests "the luminance of said pixel in each

processed image is equal to the luminance of the pixel in the source image" as recited in claim 1 of the present claimed arrangement.

The composite image 32 of Sharma is recorded on a substrate with use of a predefined array of narrow band colorants, so as to form a rendered composite image 42. The rendered composite image 42 is thereby fixed on the substrate (§181). The color image planes (composite image) and the array of narrow band colorants are predefined in order that when the rendered composite image (substrate) is subjected to the narrow band illuminant, the combined density of all colorants in the rendered composite image will reveal at least one input image that is otherwise difficult to distinguish, or the reverse, depending the specific colorant/illuminant interaction (§69, §182).

Assuming the composite image (42, 92 Fig. 4) as being a processed image of claim 1, Sharma does not teach or suggest "generating at least two successive processed images" as recited in claim 1. Moreover, the luminance of each pixel of the composite image 32 (processed image) is not equal to the luminance of the pixel in the input image (image 71 or 72) because the composite image is formed from at least two input images.

Assuming the composite image (42, 92 Fig. 4) of Sharma as being the source image of claim 1, at least two successive processed images (image 90 with "C" and "M") are generated. Each of these processed (revealed) images is an input image of the method (§182) but the luminance of the pixel in each processed image (image 90 with "C" and "M") is equal to the luminance of an input image (image 71, 72) and not to the luminance of the composite image (which is assumed here to be the source image of claim 1).

Assuming an input image of Sharma et al. as a source image of claim 1 and the revealed images (image 90 with "C" and "M") as being the processed images, Sharma does disclose a method for processing at least two images from a source image because

the number of revealed images equals to the number of input images according to Sharma.

In view of the above remarks and amendments to the claims, it is respectfully submitted that the Office Action fails to make a *prima facie* case that the present claimed arrangement is anticipated by Sharma. Therefore, as Sharma neither teaches nor suggests each feature of the present claimed arrangement as claimed in claim 1, it is respectfully submitted that this rejection is overcome and should be withdrawn. Claim 14 is directed to a processing circuit including features similar to those of claim 1 discussed above. Thus, it is respectfully submitted that claim 14 is also patentable for the same reasons as claim 1. Thus, it is further respectfully submitted that this rejection is overcome and should be withdrawn.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,
Laurent Blonde et al.

By /Robert D. Shedd/

Robert D. Shedd
Reg. No. 36,269
Tel. No. (609) 734-6828

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Thomson Licensing, LLC
Patent Operations
PO Box 5312
Princeton, NJ 08543-5312